



219/026

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(Continuation or CIP Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled INCREASING THE HDL LEVEL AND THE HDL/LDL RATIO IN HUMAN SERUM BY BALANCING SATURATED AND POLYUNSATURATED DIETARY FATTY ACIDS

the specification of which

is attached hereto.

was filed on April 2, 1996 as

Application Serial No. 08/626,461 and was amended

on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/418,681</u> (Application Serial No.)	<u>04/07/95</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status)

SSSD/11317. v01

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(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: RICHARD J. WARBURG, ESO, REGISTRATION NO. 32,327.

Kindly recognize as associate attorney:

Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr. Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; William E. Thomson, Jr., Reg. No. 29,719; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coc A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,035; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Bradford J. Duff, Reg. No. 32,219; Suzanne L. Biggs, Reg. No. 30,158; F.T. Alexandra Mahaney, Reg. No. 37,668; Sheldon O. Heber, Reg. No. 38,179; Jeffrey W. Guise, Reg. No. 34,613; Charles S. Berkman, Reg. No. 38,077; Anthony C. Chen, Reg. No. 38,673; of LYON & LYON, First Interstate World Center, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071-2066

Address all telephone calls to RICHARD J. WARBURG, ESO, at telephone no. (619) 552-8400.

Address all correspondence to Richard J. Warburg, Eso, Lyon & Lyon, First Interstate World Center, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071-2066.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Full name of sole or first inventor KATYANA SUNDARAM

Inventor's signature [Signature] Date: June 11, 1996

Residence 32, Lorong SSI, 11A, Kampung Tunku, 47300, Petaling Java, Selangor, DE, MALAYSIA

Citizenship Malaysia

Post Office Address 32, Lorong SSI, 11A, Kampung Tunku, 47300, Petaling Java, Selangor, DE, MALAYSIA

Full name of second inventor DANIEL PERIWAN

Inventor's signature [Signature] Date: June 5, 1996

Residence 94 Oakland Avenue, Arlington, Massachusetts 02173

Citizenship U.S.A.

Post Office Address 94 Oakland Avenue, Arlington, Massachusetts 02173

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\*\* TOTAL PAGE.04 \*\*

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Full name of third inventor Kenneth C. Hayes  
Inventor's signature Kenneth C. Hayes Date 6/5/96  
Residence 68 Washburn Avenue, Wellesley, Massachusetts 02181  
Citizenship U.S.A.  
Post Office Address 68 Washburn Avenue, Wellesley, Massachusetts 02181

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Applicant or Patentee: Kalyana Sundram et al.  
Serial or Patent No.: 08/626,461  
Filed or Issued Date: April 2, 1996  
For: INCREASING THE HDL LEVEL AND THE HDL/LDL RATIO IN HUMAN SERUM BY BALANCING SATURATED AND POLYUNSATURATED DIETARY FATTY ACIDS

Attorney's  
Docket No.: 219/026



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: BRANDEIS UNIVERSITY  
ADDRESS OF ORGANIZATION: WALTHAM, MASSACHUSETTS 02254-9110

TYPE OF ORGANIZATION:

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
 NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )  
 WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA  
 WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled INCREASING THE HDL LEVEL AND THE HDL/LDL RATIO IN HUMAN SERUM BY BALANCING SATURATED AND POLYUNSATURATED DIETARY FATTY ACIDS by inventor(s) KALYANA SUNDARAM, DANIEL PERLMAN, AND KENNETH C. HAYES described in

the specification filed herewith.  
 application serial no. 08/626,461, filed April 2, 1996.  
 patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: JOEL M. COHEN

ADDRESS: BRANDEIS UNIVERSITY

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: JOEL M. COHEN  
TITLE IN ORGANIZATION: ASSISTANT PROFESSOR FOR RESEARCH  
ADDRESS OF PERSON SIGNING: BRANDEIS UNIVERSITY  
SIGNATURE: Joel M. Cohen

DATE 6/15/96